

III. REMARKS

Claims 1-8 and 10-15 are pending in this application. Claim 9 was previously canceled. Claims 1-15 are rejected under 35 USC 103(a) as allegedly being unpatentable over Bandat et al. (US 6816902 B1) ("Bandat") in view of Deborin et al. (*Continuous Business Process Management with HOLOSOFX BPM Suite and IBM MQSeries Workflow*) ("Deborin") and further in view of Dewan et al. (*Workflow Redesign Through Consolidation...*) ("Dewan"). Applicant respectfully traverses the 35 USC 103(a) rejections for the reasons provided below.

Applicant does not acquiesce in the correctness of the rejections and reserves the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicant reserves the right to pursue the full scope of the subject matter of the claims in a subsequent patent application that claims priority to the instant application.

A. REJECTION OF CLAIMS 1, 2, 5-9, 12-16 and 19-21 UNDER 35 USC 103(a)

In the Office Action, claims 1-15 under 35 USC 103(a) are rejected as allegedly being unpatentable over Bandat in view of Deborin further in view of Dewan.

Specifically regarding the Office's rejections of claim 1 (and similarly claims 5, 8 and 12): Applicant submits that Bandat, Deborin and Dewan fail to teach or suggest each and every feature of claim 1 (and similarly claims 5, 8 and 12).

Claim 1 (and similarly claims 5, 8 and 12), recites: “a workflow server connected to said operating computer terminals in a network to manage the workflow, wherein said workflow server consolidates information necessary for processing multiple consecutive nodes to be processed by one participant operating one of said operating computer terminals and sends the consolidated information to the operating computer terminal.” With respect to the feature “wherein said workflow server consolidates information necessary for processing multiple consecutive nodes to be processed by one participant operating one of said operating computer terminals,” the Office alleges this feature is taught by Bandat at “[0033]” and “(34)”. Office Action p.4.

It should be noted that Bandat (US6816902) is not published with reference to paragraph numbers. Applicant has attempted to correlate the sections of Bandat cited by the Office to Bandat as published.

The Office relies upon its interpretation of Bandat rather than what Bandat teaches. Bandat literally states: “An island is formed by an aggregation of activities associated with physical and logical location attributes.” Bandat col. 4 lines 37-39. The Office then alleges without support of the reference “This consolidation necessarily involves the information associated with the several activities and, ipso facto, must also be consolidated in order to consolidate (aggregate) activities.” Office Action p.4.

It is unclear how the Office is able to assert this logic “ipso facto” – as an inevitable result. Bandat restricts its statement to “activities” and “location.” There is no reference in the cited reference to Bandat to “information” let alone

that “consolidates information necessary for processing multiple consecutive nodes” as recited by claim 1 (and similarly claims 5, 8 and 12). Bandat’s reference to “an aggregation of activities associated with physical and logical location attributes” does not explicitly teach and does not by inference suggest a “consolidat[ion of] information necessary for processing multiple consecutive nodes.” Applicant respectfully requests the Office withdraw its rejection or, in the absence of withdrawal of the rejection, provide support for this allegation.

Accordingly Bandat, Deborin and Dewan do not teach or suggest each and every feature of applicant’s invention. Therefore, Applicant submits that claim 1 (and similarly claims 5, 8 and 12) is not unpatentable over Bandat in view of Deborin further in view of Dewan.

With respect to the dependent claims, Applicant herein incorporates the arguments presented above with respect to the independent claims from which the claims depend. Furthermore, Applicant submits that all dependant claims are allowable based on their own distinct features. Since the cited art does not teach each and every feature of the claimed invention, Applicant respectfully requests withdrawal of this rejection.

IV. CONCLUSION

In addition to the above arguments, Applicant submits that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicant does not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicant does not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicant reserves the right to present such arguments in a later response should one be necessary.

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,

/David E. Rook/

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